

REMARKS

Claims 9 and 25 have been amended. Claim 40 has been cancelled. Hence, claims 9-39 are now active and under consideration in this case.

Claims 9-40 stand rejected under 35 U.S.C. §102(a) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Korean Chem. Soc., Article "The 91" Nat. meeting of the Korean Chem. Soc., April 18-19, 2003, page 363.

Enclosed is an English translation of the cited abstract. From the attached unexecuted Declaration, it is noted that Cha Joo Hwau and Han So Yeup of the authors were excluded as inventors as their contributions to the work leading to the present invention involved only routine work.

Further, Chang Moon Ho was included as a co-inventor of the present invention due to contributions made to the work leading up to the present invention.

Thus, it is clear that this article does not qualify as a reference under 35 U.S.C. §102(a) or 35 U.S.C. §103(a).

An executed version of the Declaration will be submitted to the U.S. Patent Office upon receipt from Applicants.

Hence, this ground of rejection is unsustainable and should be withdrawn.

Claims 14, 20, 33 and 38-40 stand rejected under 35 U.S.C. §112, second paragraph.

However, in view of the above amendments, this ground of rejection is deemed moot.

Claims 38-40 stand rejected under 35 U.S.C. §112, first paragraph.

However, claim 40 has been cancelled.

As to claims 38 and 39, it is noted there are at least two examples having a yield of "at least 77%" and at least two examples having a yield of "at least 90%." This is clearly adequate to support the limitations of claims 38 and 39. There is clearly no requirement in U.S. patent law that

a chemical reaction must provide a yield of 100%. Rather it is sufficient if the subject matter claimed is fairly described in the specification.

Hence, this ground of rejection is unsustainable and should be withdrawn.

Accordingly, it is believed that the present application is now in condition for allowance. Early notice to this effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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